REMARKS

Applicants gratefully acknowledge Examiner Parton and Supervisory Examiner Burgess for taking time from their busy schedule on July 15, 2003, to conduct a personal interview with Applicants' representative. It is believed that the exchange of viewpoints during this interview expedited prosecution.

It is noted that the claim amendment herein is intended solely to more particularly point out the present invention for the Examiner, and not for distinguishing over the prior art or the statutory requirements directed to patentability. That is, the claim amendment herein is not intended to differentiate from the Downs reference, since, as explained during the above-mentioned interview and even with the Examiner's prerogative to interpret claim language as broadly as possible, it is not believed that the claims of the present Application would reasonably read on the Downs reference even before these amendments.

It is further noted that, notwithstanding any claim amendments made herein, Applicant's intent is to encompass equivalents of all claim elements, even if amended herein or later during prosecution.

Claims 1-33 are all of the claims pending in the present Application. The Examiner has rescinded the earlier allowability of claims 1-9, 11-16, 22, and 23.

Claim 1 stand rejected under 35 USC §112, second paragraph, as being indefinite. Claims 22-24, 27-29, 30, and 31 stand rejected under 35 USC §103(a) as unpatentable over US Patent 6,070,176 to Downs et al. Claims 25 and 26 stand rejected as unpatentable over Downs, further in view of US Patent 6,307,573 to Barros. Claims 1-6, 10-13, and 17-21 stand rejected as unpatentable over Downs, further in view of US Patent 5,986,654 to Alexander et al. Claims 7-9, 14-16, 32, and 33 stand rejected as unpatentable over Downs, further in view of Alexander and Barros.

These rejections are respectfully traversed in view of the following discussion.

I. THE CLAIMED INVENTION

As described and claimed (e.g., by claim 10), the present invention is directed to a method of processing search results obtained in response to a user query. Document pointers returned by a search engine are examined to identify a source from which documents are available. The source documents are obtained.

A visual abstract for each of the documents is generated, each visual abstract being a thumbnail image. Each thumbnail image is a visual similarity of the document, as reduced in size. A stream of data is formatted such that when the data is displayed on a display screen, each visual abstract appears adjacent to a corresponding search result.

An advantage of the present invention over the prior art is that a user can more easily determine relevance of the source document by seeing a thumbnail image of the document and does not need to retrieve the document itself unless it seems sufficiently relevant, thereby saving time and network bandwidth.

II. THE REJECTION BASED ON 35 USC §112, SECOND PARAGRAPH

The Examiner rejects claim 1 as being indefinite. In response to the Examiner's questions, Applicants explain that the abstracts are not generated from the pointers. The document abstract, if present, arrives back to the client machine from the servers being queried. The visual abstract (thumbnail image) is generated either by the client machine, but preferably by the servers. Essentially, once the server becomes aware of which documents are of interest, the present invention tells the server to prepare two thumbnail images, one being larger than the other. The thumbnail images are then transmitted to the client machine in accordance with the teachings described by this application.

That is, exemplarily, the server provides the smaller image for each document of interest to be displayed by the client machine as part of the search result. If the user moves the pointer over the smaller image, the server then transmits the larger image.

Concerning the Examiner's second question, the origin of the stream of data displayed next to the smaller image is the query result. That is, each server that has been queried will transmit the identification and, possibly additional information such as title and abstract, for each document that satisfies the input query. This aspect of the present invention is well known in the art.

The present invention improves the conventional presentation of search results by having a smaller thumbnail image presented beside each document identification/abstract. This thumbnail image provides a visual similarity of the document, thereby allowing a user to quickly get an impression of the document without having to actually download the document itself.

Additionally, the present invention provides that a second, larger thumbnail image be presented if the user moves a pointing device over the smaller image. This larger image provides better visibility than the smaller image.

With the above clarification, Applicants respectfully request that the Examiner reconsider and withdraw the rejection for indefiniteness.

III. THE PRIOR ART REJECTIONS

The Examiner alleges that US Patent 6,070,176 to Downs et al., renders obvious the invention as defined by claims 22-24, 27-29, 30, and 31. Applicants submit that there are multiple problems with this rejection.

First, concerning claim 22, the Examiner considers that the icons of Downs are "thumbnail images". However, Applicants submit that the term "thumbnail image" is a term of art and is well understood as a visually-similar image of the original image, as merely reduced in size. The icon symbols of Downs have no visual similarity to their source documents and, therefore, would not reasonably be considered by one of skill in the art as satisfying the concept of the term "thumbnail image".

The following description at lines 24-27 of column 8 of Downs clearly indicates that the icons used therein are not thumbnail images as one of ordinary skill in the art understands that terminology: "... [t]he layout generator 52 generates an object for each document in the ranked

results and determines the appropriate postion and other display attributes (i.e., size, color, texture, etc.) of the objects."

Hence, turning to the clear language of claim 22, there is no teaching or suggestion in Downs of "... each of said first visual abstract and said second visual abstract respectively being a thumbnail image of said document ...." The other independent claims contain a similar definition of "thumbnail image".

For this reason alone, the present invention, as defined by claims 1-33, is clearly patentable over Downs.

As best understood, the Examiner relies on Barros as demonstrating a larger image generated upon selection by the user and on Alexander as demonstrating the representation of an icon adjacent to an HTML link. Neither of these two references, however, overcome the deficiency in Downs that a thumbnail image of the source documents is not generated as part of the search result display.

Second, Applicants submit that the standard to combine references used in the rejection of record is incorrect, since the phrase " ... a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying..." is merely a statement of hindsight.

Third, Applicants submit that Downs attempts to condense the search result into a single page of icons that represent distance for each source document. In contrast, the present invention makes no such attempt and contemplates that many pages containing source document identifications, abstracts, and thumbnail images will be presented. Indeed, the thumbnail images of the present invention are intended to add information to the search result listing, not to further condense the listing down as is done in Downs.

Fourth, Applicants submit that Downs already has a sequence described for automatically changing the display when an icon is selected by the user, as described beginning at line 19 of column 7. Nowhere does any of the various alternative sequences described in Downs suggest providing a larger thumbnail image of the source document represented by the selected icon.

Fifth, Applicants submit that the Examiner's reliance on Barros is misplaced, since this reference addresses an entirely different problem of allowing a user to focus in various aspects of

a map display. There is no suggestion in Barros to apply the layer technique into other applications.

Sixth, Applicants submit that the Examiner's reliance on Alexander is also misplaced, since the gif images 210,220 adjacent to the link 260 are intended to provide realism to the switch, an entirely different and unrelated environment to that of the present invention.

Finally, Applicants submit that the rejection of record merely recites a series of possible changes and modifications one would have to make to the primary reference Downs. However, as clearly stated in the evaluation guideline in MPEP 2143.01, the mere fact that a reference could be modified does not render obviousness.

Further, the other prior art of record has been reviewed, but it too, even in combination with Downs, Barros, or Alexander, fails to teach, suggest, or render obvious the claimed invention.

IV. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicant submits that claims 1-33, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 09-0441.

Respectfully Submitted,

Date: 8/7/03

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S/N: 09/442,150
Docket: ALM9990095

PTOL-413A (12-02)
Approved for use through xx/xx/xxxx. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 09/442,150 First Named Applicant: Kraft
Examiner: Parton Art Unit: 2153 Status of Application: NF

Tentative Participants:
(1) K. Parton (USPTO) (2) G. Burgess (USPTO)
(3) F. Loopemider (4) _____

Proposed Date of Interview: 7/15/03 Proposed Time: 10:30 (AM~~/PM~~)

Type of Interview Requested:
(1) [ ] Telephonic (2) [✓] Personal (3) [ ] Video Conference

Exhibit To Be Shown or Demonstrated: [ ] YES [✓] NO
If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) Rej.	1-33	Downs	[ ]	[ ]	[ ]
(2) _____	_____	_____	[ ]	[ ]	[ ]
(3) _____	_____	_____	[ ]	[ ]	[ ]
(4) _____	_____	_____	[ ]	[ ]	[ ]

[ ] Continuation Sheet Attached

Brief Description of Arguments to be Presented:
- Wrong Standard of Review: "readily recognized the desirability
- No "thumbnail image" in Downs
- Downs is incompatible with present invention

An interview was conducted on the above-identified application on _____.

NOTE:
This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).
This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

_____ _____
(Applicant/Applicant's Representative Signature) (Examiner/SPE Signature)